

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Faculty, Alumni, and Students Opposed to
Racial Preferences,

Plaintiff,

v.

New York University Law Review, New York
University School of Law, New York
University, and Betsy DeVos, in her official
capacity as U.S. Secretary of Education,

Defendants.

Civil Action No. 1:18-CV-09184-ER

ORAL ARGUMENT REQUESTED

DEFENDANT NYU'S MOTION TO DISMISS FIRST AMENDED COMPLAINT

Defendant New York University (“NYU”), by and through its undersigned counsel, hereby moves to dismiss all claims pled against it and its affiliates in the First Amended Complaint (“FAC”) with prejudice, pursuant to Fed. R. Civ. P. 4(m), Fed. R. Civ. P. 12(b)(1), and Fed. R. Civ. P. 12(b)(6). The grounds for this motion are set forth in the accompanying memorandum of law.

REQUEST FOR ORAL ARGUMENT

Pursuant to Local Rule 6.1(c), NYU respectfully requests oral argument on this Motion.

Date: March 21, 2019

Respectfully,

/s/ Stephen D. Susman

Stephen D. Susman (SS8591)
Robert Rivera, Jr. (RR6890)
Jacob W. Buchdahl (JB1902)
Arun Subramanian (AS2096)
Tamar Lusztig (TL1082)
Jillian Hewitt (EB6850)
William D. O'Connell (WO2819)
SUSMAN GODFREY LLP
1301 Avenue of the Americas
New York, New York 10019-6023
Phone: (212) 336-8330
ssusman@susmangodfrey.com
rrivera@susmangodfrey.com
jbuchdahl@susmangodfrey.com
asubramanian@susmangodfrey.com
tlusztig@susmangodfrey.com
jhewitt@susmangodfrey.com
boconnell@susmangodfrey.com

Attorneys for Defendant New York University

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of March 2019, a true and correct copy of the foregoing was served on all parties via the Court's ECF system.

/s/ Stephen D. Susman
Stephen D. Susman